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March 18, 2025

Hon. Cathy L. Waldor
Martin Luther King Jr. Courthouse
50 Walnut Street
Room 4040, Courtroom 4C
Newark, New Jersey 07101

**RE: Vision Industries Group, Inc. v. ACU Plasmold, Inc.
Case No.: 2:18-cv-06296-ES-CLW**

Dear Judge Waldor,

The undersigned represents Defendant ACU in this case. Plaintiff and Defendant have been tasked with creating a joint Statement of the Case.

Our (Defendant) understanding of what the Court wants in a Statement of the Case is a statement of the relevant facts that are recognized as facts by both parties, along with the issues presented by the case. Plaintiff has refused to agree to put any facts into the Statement of the Case other than facts that appear in the pretrial order's "Stipulated Facts." Plaintiff has gone so far with its rule that it is insisting on removing (from the Statement of the Case fact section proposed by Defendant) a fact from Plaintiff's own "Contested Facts."

On the other hand, Plaintiff insists on summarizing a number of facts from the pretrial order's stipulated facts in a fashion that is outright false.

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While we hate to involve the court, we have exhausted our own resources and need the guidance of the court. We are requesting guidance from the Court as to exactly what should be included in the "Statement of the Case" since plaintiff and defendant have disparate and incompatible views of what that is, exactly. Thank you for your assistance in this matter.

Respectfully submitted,

Michael T. Warshaw, Esq.

Edward W. Miller

MTW:kp
cc: counsel of record via ECF